

GRAND JURY SUBPOENA
(Criminal Rule 17)

THE STATE OF OHIO

PRECIPE

GJS 1199438

Cuyahoga County

Case Number:

INVEST

To the Sheriff of Cuyahoga County:

DEFENDANT: IN RE INVEST

You are hereby commanded to summon:

CUYAHOGA COUNTY CARE OF LAW
DIRECTOR ROBERT TRIOZZI
2079 E 9TH ST
CLEVELAND, OH 44115-1302

*** PERSONAL SUBPOENA *** DUCES TECUM: IN LIEU OF APPEARANCE, PLEASE PROVIDE THE DOCUMENTS AND ITEMS SPECIFIED IN THE ATTACHED ADDENDUM. SUBPOENA SATISFIED BY PROVIDING THE REQUESTED DOCUMENTS IN ELECTRONIC OR PAPER FORM TO SPECIAL INVESTIGATOR ROBERT DESIMONE, 1200 ONTARIO ST., 8TH FLOOR, CLEVELAND, OHIO 44113, 216-443-7603; RDESIMONE@PROSECUTOR.CUYAHOGACOUNTY.US, SUBPOENA ISSUED BY APAS M. MEYER, J. GUTIERREZ AND PAUL SOUCIE, 216-443-7821.

TO THE WITNESS

YOU ARE HEREBY required to attend, under penalty of law, before the COURT OF COMMON PLEAS, at the 3rd floor, Courts Tower - Justice Center, 1200 Ontario Street, in the City of Cleveland, within and for said County, on the 6th day of February, 2018, at 09:00 o'clock A.M., to testify before the GRAND JURY to all and singular such matters and things which you may know in a certain action in court pending, and then and there to be determined.



WITNESS, NAILAH K. BYRD, Clerk Court of Common Pleas and the seal of said Court, as Cleveland, Ohio, this 24th day of January, A.D. 2018.

NAILAH K. BYRD, Clerk

by

WITNESS CERTIFICATION

DATE	TIME	
	IN	OUT

The within named witness has been discharged and did appear on the following dates:

Before leaving the Courtroom, make sure the Prosecutor and/or Judge or Bailiff certifies the below form in order to correctly process your witness voucher. Take this completed certification to the Clerk's office - **SECOND LEVEL**.

PROSECUTOR, DEFENSE ATTORNEY AND/OR BAILIFF _____

DEPUTY CLERK _____ FILE DATE: _____

TO THE WITNESS: BRING THIS COPY OF THE SUBPOENA AND I.D. WITH YOU.

NOTICE TO VICTIMS OF CRIME

If you are a Victim of a Violent Crime and have been injured, you may qualify for compensation under the Ohio Victims Of Crime Program. Call 1-800-824-8263 for further information or contact the Cuyahoga County Witness Victim Program at 443-7399.

DUCES TECUM: In lieu of appearance, please provide the following documents for the time period of January 1, 2016 to the present:

1. any and all printed and electronic copies of emails or letters from Scot Rourke (whose email address includes, but is not limited to srourke@cuyahogacounty.us) and Emily McNeeley (whose email address includes, but is not limited to emcneeley@cuyahogacounty.us) sent to or received from any officer, director, employee or agent of Hyland Software or which contain any discussion or reference to Hyland Software or On Base. If any of the requested emails or letters are between Scot Rourke and/or Emily McNeeley and members of the Cuyahoga County Law Department and are believed to be privileged attorney client-communications, please provide a log of withheld items and a written assertion of privilege for each item withheld;
2. any and all printed and electronic copies of emails or letters from Scot Rourke (whose email address includes, but is not limited to srourke@cuyahogacounty.us) and Emily McNeeley (whose email address includes, but is not limited to emcneeley@cuyahogacounty.us) sent to or received from any officer, director, employee or agent of One Community or which contain any discussion or reference of a settlement, agreement, debt, additional payment or any other documentation of money purportedly owed by Cuyahoga County to One Community. If any of the members of the Cuyahoga County Law Department and are believed to be privileged attorney client-communications, please provide a log of withheld items and a written assertion of privilege for each item withheld;
3. copies of any and all RFPs, RFQs, contracts, memoranda of understanding, or financial agreements between Hyland Software and Cuyahoga County;
4. copies of any employment contracts or agreements between Scot Rourke, Emily McNeeley and Cuyahoga County;
5. copies of any and all timekeeping records, requests for leave, requests for vacation, or any other documentation of any form of absence by or from Emily McNeeley;
6. copies of any self-disclosure or self-reporting form or document by Scot Rourke and/or Emily McNeeley relating to outside employment, compensation, wages, bonuses, travel or any other form of transaction received by Scot Rourke and/or Emily McNeeley;
7. any and all paper or electronic records of access by Scot Rourke and Emily McNeeley to documents related to any contract (or contract-related document) between Cuyahoga County and the following entities: OneCommunity, OneCleveland, Everstream, DigitalC and Hyland Software, including, but not limited to Server Access Logs;
8. copies of any and all memoranda, ethics opinions, or legal opinions issued to Scot Rourke and/or Emily McNeeley concerning their relationship with the following entities: OneCommunity, OneCleveland, Everstream, DigitalC and Hyland Software;

9. copies of any and all records of wages, payments, or any other form of financial compensation paid, provided by Cuyahoga County and Scot Rourke and Emily McNeeley;
10. Copies of any personnel files for Scot Rourke and Emily McNeeley (including but not limited to resumes, letters of recommendation, evaluations).

Subpoena satisfied by forwarding to requested documents in electronic or paper form to Special Investigator Robert DeSimone, 1200 Ontario St., 8th Floor, Cleveland, Ohio 44113 216-443-7603, rdesimone@prosecutor.cuyahogacounty.us. Subpoena issued by APAs M. Meyer, J. Gutierrez and P. Soucie, 216-443-7821.